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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

PATRICIA D. HODSON,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Case No. 2:22-cv-00048-AC

STIPULATION AND ~~PROPOSED~~ ORDER
FOR THE AWARD OF ATTORNEY FEES
UNDER THE EQUAL ACCESS TO JUSTICE
ACT (EAJA)
28 U.S.C. § 2412(d)

TO THE HONORABLE ALLISON CLAIRE, MAGISTRATE JUDGE OF THE
UNITED STATES DISTRICT COURT:

The Parties through their undersigned counsel, subject to the Court's approval, stipulate
that Plaintiff be awarded attorney fees in the amount of SEVEN HUNDRED DOLLARS and
00/100 (\$700.00) and no costs under the Equal Access to Justice Act (EAJA), 28 U.S.C.

1 §§ 2412(d), 1920. This amount represents compensation for all legal services rendered on behalf
2 of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§
3 2412(d), 1920.

4 After the Court issues an order for EAJA fees to Plaintiff, the government will consider
5 the matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to *Astrue v. Ratliff*, 560
6 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor the assignment will
7 depend on whether the fees are subject to any offset allowed under the United States Department
8 of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will
9 determine whether they are subject to any offset.

10 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
11 that Plaintiff does not owe a federal debt, then the government shall cause the payment of fees to
12 be made directly to counsel, pursuant to the assignment executed by Plaintiff. Any payments
13 made shall be delivered to Plaintiff's counsel, Meghan O. Lambert at 521 Cedar Way, Suite 200,
14 Oakmont, Pennsylvania 15139.

15 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
16 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
17 EAJA, or otherwise. Payment of SEVEN HUNDRED DOLLARS and 00/100 (\$700.00) in
18 EAJA attorney fees shall constitute a complete release from, and bar to, any and all claims that
19 Plaintiff and Plaintiff's attorney, Meghan O. Lambert, including Osterhout Berger Disability
20 Law, LLC, may have relating to EAJA attorney fees in connection with this action.

21 This award is without prejudice to the rights of Plaintiff's attorney to seek Social Security
22 Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.
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Respectfully submitted,

Dated: July 13, 2022

/s/ Meghan O. Lambert
MEGHAN O. LAMBERT
Attorney for Plaintiff

Dated: July 13, 2022

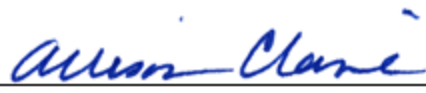
PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

By: /s/ Mary Tsai*

Mary Tsai
Special Assistant U.S. Attorney
Attorneys for Defendant
(*Permission to use electronic signature
obtained via email on 7/13/2022).

IT IS SO ORDERED:

DATE: July 14, 2022


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE